



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF:
BUHIMSCHI, et al

SERIAL NO. 09/765,476

FILED: January 18, 2001

TITLE: FREE RADICAL SCAVENGERS OF
PROMOTERS THEREOF AS THERAPEUTIC
ADJUVANTS IN PRETERM PARTURITION

ATTY DKT NO. P-120561.1

GROUP ART UNIT: 1614

EXAMINER: Christopher S.F. Low

TO: Box Patent Application
Commissioner of Patents and Trademarks
Washington, D.C. 20231

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OCT 17 2002

TECH CENTER 1600/2900

PETITION AND FEE FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)

1. This is a petition for an extension of time for a total period of one (1) months to:
 - a. ☒ Respond to the Office Action mailed August 13, 2002 for **FREE RADICAL SCAVENGERS OF PROMOTERS THEREOF AS THERAPEUTIC ADJUVANTS IN PRETERM PARTURITION**.
 - b. ☐ Permit filing and/or entry of a Petition for Revival of An Application for Patent Abandoned Unintentionally Under 37 CFR § 1.137(b).

NOTE: "Extensions of Time in Patent Cases (Supplement Amendments) - if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35)

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in re-examination proceedings.

2. A response in connection with the matter for which this extension is requested:

☒ Is filed herewith.

☐ Has been filed.

(Complete the following, if applicable.)

NOTE: The PTO accepts the filing of a continuing application as a response under 37 CFR 1.136 and 1.137. To facilitate processing in such a case, the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application Notice of May 13, 1983, 1031 O.G. 11-12.

- ☐ The response is the filing of a continuing application having an express abandonment conditioned on the granting of a filing date to the continuing application.

3. Applicant's status pursuant to 37 CFR 1.27.

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- ☒ A small entity.
☐ Other than small entity.

4. Calculation of extension fee (37 CFR 1.17(a)-(d)):

	<u>Total Months Requested</u>	<u>Fee for other than small entity</u>	<u>Fee for Small Entity</u>
<input checked="" type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$400.00	\$200.00
<input type="checkbox"/>	three months	\$920.00	\$460.00
<input type="checkbox"/>	four months	\$1,440.00	\$720.00
	Fee:		<u>\$55</u>

If an additional extension of time is required, please consider this a petition therefor.
(Check and complete the next item, if applicable.)

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$ _____

5. Extended Period for Response:

Based on the extension requested in this Petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on October 13, 2002.

6. Fee Payment:

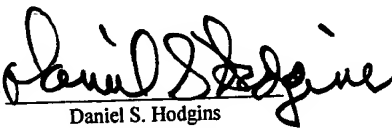
NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986; 1065 O.G. 31-33.

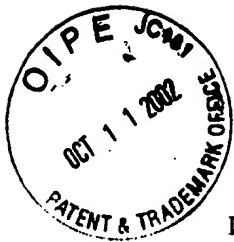
- ☒ Attached is a check in the sum of \$55.
- ☒ Charge Account 07-2400 for any additional extension and/or fee required or credit for any excess fee paid.
- ☐ Charge fee to Account 07-2400 and this is a request to charge for any additional extension and/or fee required or credit for any excess fee paid. A duplicate of this petition is attached.

Respectfully submitted,

JACKSON WALKER, L.L.P.
112 E. Pecan, Suite 2100
San Antonio, TX 78205
(210) 978-7700

By


Daniel S. Hodgins
Regis No. 31,026



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CERTIFICATE OF MAILING

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner of Patents and Trademarks, Washington, D.C. 20231", as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
<input type="checkbox"/> With sufficient postage as First Class Mail. Date: _____, 20 ____.	<input checked="" type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. <u>EL6011044 255 US</u> Date: <u>10-11-</u> , 20 <u>02</u> .

ELVA J. Abundis
Printed Name of Person Mailing Paper or Fee

[Signature]
Signature of Person Mailing Paper or Fee

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